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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

ATTORNEY'S DOCKET NUMBER AOL0111-2

PAIGATION OF IT MOUNT, see 37 CFR 1.5) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 INTERNATIONAL APPLICATION NO. PCT/US03/39525 INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED December 11, 2003 December 13, 2002 TITLE OF INVENTION Apparatus and Method for Skipping Songs Without Delay APPLICANT(S) FOR DO/EO/US America Online, Incorporated Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. The US has been elected (Article 31). $\overline{\mathbf{V}}$ A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is attached hereto (required only if not communicated by the International Bureau). has been communicated by the International Bureau. is not required, as the application was filed in the United States Receiving Office (RO/US). An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). is attached hereto. has been previously submitted under 35 U.S.C. 154(d)(4). Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) are attached hereto (required only if not communicated by the International Bureau). have been communicated by the International Bureau. have not been made; however, the time limit for making such amendments has NOT expired. have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. **V** An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unsigned) An English language translation of the annexes of the International Preliminary Examination Report under PCT 10. Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98. Form 1449 and cited references from International Search Report 12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. A preliminary amendment. 14. L An Application Data Sheet under 37 CFR 1.76. 15. l A substitute specification. 16. L A power of attorney and/or change of address letter. 17 A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. L A second copy of the published International Application under 35 U.S.C. 154(d)(4). A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). Copy of PCT Published WO 2004/055637 (A2), Copy of Article 19 Amendment Other items or information: and, International Search Report

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This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mall Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) INTERNATIONAL APPLICATION NO. ATTORNEY'S DOCKET NUMBER AOL0111-2 Unassigned 538 PCT/US03/39525 CALCULATIONS PTO USE ONLY The following fees have been submitted 21. 🔽 Basic national fee.....\$300 300.00 22. Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of All other situations.....\$200 23. Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100 International Search Report prepared and provided to the Office......\$400 100.00 All other situations.....\$500 \$ 400.00 TOTAL OF 21, 22 and 23 = Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. **Total Sheets** Extra Sheets Number of each additional 50 or fraction RATE thereof (round up to a whole number) 0.00 25 \$ - 100 = /50 = x \$250 Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest \$ claimed priority date (37 CFR 1.492(h)). CLAIMS NUMBER FILED NUMBER EXTRA RATE \$ Total claims - 20 = \$ 50 \$ 250.00 25 5 Independent claims \$200 \$ 0 0.00 MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360 \$ **TOTAL OF ABOVE CALCULATIONS =** 250.00 Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. SUBTOTAL = \$ 650.00 Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest \$ claimed priority date (37 CFR 1.492(i)). TOTAL NATIONAL FEE = 650.00 Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied \$ by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property TOTAL FEES ENCLOSED = \$ Amount to be refunded: Amount to be \$ 650.00 charged: A check in the amount of \$ to cover the above fees is enclosed. Please charge my Deposit Account No. 07-1445 in the amount of \$ 650.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. 🗸 The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1445 _____. A duplicate copy of this sheet is enclosed. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card Information should not be Included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the international Application to pending status. SEND ALL CORRESPONDENCE TO: Glenn Patent Group SIGNATURE Customer No. 22862 3475 Edison Way, Suite L Julia A. Thomas Menlo Park, CA 94025 NAME 650-474-8400 (Tel) 52.283 650-474-8401 (Fax) REGISTRATION NUMBER

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Attached to this cover-sheet please find the following documents:

- -Transmittal (2 pages, in duplicate);
- -Declaration & POA (unsigned) (2 pages);
- -Copy of Published Application WO 2004/055637 (A2) (26 pages);
- -Copy of International Search Report (3 pages);
- -Copy of Article 19 Amendment (2 pages);
- -Information Disclosure Statement (2 pages, in duplicate);
- -Form 1449 (1 page);
- -Return Postcard